## HOUSE . . . . . . . . . . . . . . . No. 4449 [LOCAL APPROVAL RECEIVED.]

## The Commonwealth of Massachusetts

PRESENTED BY:

Jay R. Kaufman, James Dwyer

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to use of a parcel of land in the City of Woburn for recreational purposes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jay R. Kaufman	15th Middlesex
James Dwyer	30th Middlesex

## The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act relative to use of a parcel of land in the City of Woburn for recreational purposes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Notwithstanding the provisions of section 15A of chapter 40 of the general laws, or of any 2 other general or special law to the contrary, the land commonly known as the Clapp School and 3 surrounding fields, acquired by the City on or about 1909, located at the intersection of Hudson Street and 4 Arlington Road in the City of Woburn, Massachusetts shown as Assessors Map 59, Block 26, Lot 20, 5 containing 2.92 acres more or less, and shown on a plan entitled, "Use and Limitation Plan" dated 6 September 2, 2009, and prepared by Leblanc Survey Associates, Inc. and on file with the City Clerk, 7 currently used for recreational and educational purposes, shall hereinafter be under the care, custody and 8 control of the Woburn Recreation Commission, to be used solely for active or passive recreational use 9 including, but not limited to, community gardens, trails, and noncommercial youth and adult sports, park, 10 playground or athletic field purposes, provided, however, that recreational use of such land shall not 11 include horse of dog racing or the use of land for a stadium, gymnasium or similar structure. Provided, 12 however, that notwithstanding the provisions of the preceding sentence, the portion of land shown on the 13 above-referenced plan as designated for educational purposes shall continue to be under the care, custody 14 and control of the City of Woburn school committee and shall be used for educational purposes only until 15 such time as the newly constructed Goodyear School is completed and all students receiving educational 16 services at the Clapp School have been reassigned to alternative sites within the Woburn school district, at 17 which time said school committee shall vote to determine whether such property is needed for educational 18 purposes and to authorize a transfer of the care, custody and control of such property to the Woburn 19 Recreation Commission, at which time, that portion of the land shall then be used only for active or 20 passive recreational use as described herein. No other use or uses of said land, or transfer of such land 21 from one board, committee, or officer to another, except as specifically authorized herein, shall be

permitted except upon the approval of a 2/3 vote of both houses of the General Court.

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23 Section 2. This act shall take effect upon passage.